



1  
2  
3  
4  
5  
6  
7  
8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
10

11 JESUS A. AGUIRRE MENDOZA,  
12 Plaintiff,  
13 v.  
14 ROBIN VILLA, et al.,  
15 Defendants.  
16

Case No. CV 18-8052 PSG (SSx)

ORDER SUMMARILY REMANDING  
IMPROPERLY-REMOVED ACTION

17 The Court will remand this unlawful detainer action to state  
18 court summarily because Defendants removed it improperly.  
19

20 On September 17, 2018, Defendant Michelle Villa, having been  
21 sued in what appears to be a routine unlawful detainer action in  
22 California state court, filed a Notice of Removal of that action  
23 to this Court and presented an application to proceed in forma  
24 pauperis. The Court has denied the IFP application under separate  
25 cover because the action was not properly removed. To prevent the  
26 action from remaining in jurisdictional limbo, the Court issues  
27 this Order to remand the action to state court.  
28

1       Simply stated, this action could not have been originally  
2 filed in federal court because the complaint does not competently  
3 allege facts supporting either diversity or federal-question  
4 jurisdiction, and therefore removal is improper. 28 U.S.C.  
5 § 1441(a); see Exxon Mobil Corp. v. Allapattah Svcs., Inc., 545  
6 U.S. 546, 563 (2005).

7  
8       Accordingly, IT IS ORDERED that (1) this matter be REMANDED  
9 to the Superior Court of California, County of Los Angeles,  
10 Pasadena Courthouse, 300 East Walnut Street, Pasadena, California  
11 91101, for lack of subject matter jurisdiction pursuant to 28  
12 U.S.C. § 1447(c); (2) the Clerk send a certified copy of this Order  
13 to the state court; and (3) the Clerk serve copies of this Order  
14 on the parties.

15  
16       IT IS SO ORDERED.

17  
18 DATED: 9/26/19

19   
20 PHILIP S. GUTIERREZ  
21 UNITED STATES DISTRICT JUDGE  
22  
23  
24  
25  
26  
27  
28